

COMMONWEALTH OF KENTUCKY  
BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION  
AND TRANSMISSION SITING

In the Matter of:

<i>Electronic</i> Application of Telesto Energy	)	
Project LLC for Certificate of Construction for	)	Case No.
an Approximately 110 Megawatt Merchant	)	2022-00096
Electric Solar Generating Facility in Hardin	)	
County, Kentucky		

---

**Notice of Intent to File Application**

---

Comes now Telesto Energy Project LLC (“Telesto Solar”), by counsel, and pursuant to 807 KAR 5:110 Section 2, hereby files its Notice of Intent to File an Application for a certificate of construction for an approximately 110 megawatt merchant electric solar generating facility in Hardin County, Kentucky. For its Notice, Telesto Solar provides as follows:

**1. The name, address, and telephone number of the person who intends to file the application.**

Telesto Energy Project LLC  
3809 Juniper Trace, Suite 100  
Austin, Texas 78738  
415-523-0020  
Attention: Jack Steele  
Email: jack.steele@lightsourcebp.com

**2. A brief description of the proposed construction that will be the subject of the application.**

The Telesto Energy Project (the “Project”) is a 110 megawatt (ac) solar generation project using photovoltaic (PV) solar panels mounted on a single-axis tracking system.

The Project is proposed to be located in Hardin County, Kentucky. The project site is approximately 675 acres of privately-owned land. The project will connect to the

electrical grid at the Central Hardin 138kV substation, owned by East Kentucky Power Cooperative (EKPC).

**3. A description of the location of the proposed construction, including:**

*a. The name of the city and county in which the construction will be proposed;*

The Project is proposed for an unincorporated area of Hardin County.

*b. The street address and latitude and longitude of the site of the construction to be proposed;*

The Project site is located near 1955 Hayden School Road, Cecelia, KY 42724; no street address has yet been assigned to the site. The proposed site includes the following latitude and longitude coordinates: 37°41'03.23"N, 85°57'12.73"W.

*c. Whether the proposed construction will be within the boundaries of a city.*

The Project is not proposed to be located within the boundaries of any city.

**4. The address of the planning and zoning commission, if any, with jurisdiction over the site of the construction to be proposed.**

Hardin County Planning and Development Commission  
150 N Provident Way, Suite 250  
Elizabethtown, KY 42701

**5. If applicable, a description of the setback requirements of the planning and zoning commission with jurisdiction over the site of the construction to be proposed.**

The Hardin County Planning and Development Commission, through a resolution, has provided for solar generation as a conditional use in land zoned for agricultural use. The resolution does establish additional setback requirements for the conditional use. The only setback requirements are those that apply to agricultural zoning. For land designated Agricultural Zone (A-1), the setback requirements are 70 feet for the front yard and 100

feet for the side and back yards. The validity of the solar resolution has been challenged, and is currently under court review in Hardin Circuit Court Case No. 22-CI-00197.

- 6. If the planning commission's setback requirements are less stringent than those prescribed by statute, or if the planning commission with jurisdiction, if any, has not established setbacks, a statement as to whether a deviation from the statutory setback requirements will be requested in the application.**

If the statutory setback requirements are or will be the governing standard, then a deviation will be requested.

Respectfully submitted,

/s/ Kathryn A. Eckert

Katherine K. Yunker  
Kathryn A. Eckert  
McBrayer PLLC  
201 East Main St., Suite 900  
Lexington, KY 40507  
(859) 231-8780  
[kyunker@mcbayerfirm.com](mailto:kyunker@mcbayerfirm.com)  
[keckert@mcbayerfirm.com](mailto:keckert@mcbayerfirm.com)  
*Counsel for Telesto Solar*